IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE M.RAMACHANDRAN

TUESDAY, THE 2ND JANUARY 2007 / 12TH POUSHA 1928

W.A.No.1826 of 2002

AGAINST THE JUDGEMENT IN O.P.3682/1980 DATED 21.2.1983.
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APPELLANT: 5TH RESPONDENT IN O.P:-

K.S.R.T.C, REP.BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, EAST FORT, TRIVANDRUM.

BY STANDING COUNSEL SRI.K.PRABHAKARAN

RESPONDENTS: PETITIONER IN O.P:-
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1. M.S.ABDUL WAHAB RAWTHER,
   S/O. E.M.SYED MOHAMED RAWTHER, 14/13,
   NOORANI ROAD, PALAKKAD.

2. THE LAND ACQUISITION OFFICER & RDO,
   PALAKKAD.

3. THE DISTRICT COLLECTOR, PALAKKAD.

4. THE BOARD OF REVENUE NOTICE FOR WHOM
   MAY BE SERVED ITS SECRETARY, TRIVANDRUM.

5. THE GOVERNMENT OF KERALA,
   NOTICE FOR WHOM MAY BE SERVED ON THE
   CHIEF SECRETARY TO GOVERNMENT, TRIVANDRUM.

R2 TO R5 BY GOVERNMENT PLEADER SRI.T.B.HOOD.
ADV. SRI.N.P.SAMUEL

THIS WRIT APPEAL HAVING COME UP FOR ORDERS ON 02/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K.Bali,C.J. & M.Ramachandran,J.

W.A.No.1826 of 2002 &
C.M.P.No.4722 of 2002

Dated, this the 2nd day of January, 2007

JUDGMENT

V.K.Bali,C.J. (Oral)

The Original Petition pertains to the year 1980. It was decided on 21st February, 1983. Kerala State Road Transport Corporation (for short 'K.S.R.T.C.') filed the appeal delayed by 7050 days. Notice was, however, ordered, but the appellant did not take any steps to serve the 1st respondent. This was in 2002 and such a sorry state of affairs continued upto the beginning of 2007 when no effective steps have been taken to serve the 1st respondent. 1st respondent, thus, remained unserved. Learned counsel representing the appellant is not in a position to explain such a massive delay in filing the appeal. Otherwise also it appears that the direction came to be issued by the learned Single Judge on the basis of statement made by the counsel representing the appellant - K.S.R.T.C. We find neither sufficient cause made out for condoning such delay of 7050 days nor any merit in the appeal. Both are, thus, dismissed.

V.K.Bali
Chief Justice

M.Ramachandran
Judge

vku/-